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EXAMINER

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ART UNIT PAPER NUMBER

2615

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/990,500

Applicant(s)

WASULA ET AL.

Examiner

Anthony J. Daniels

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Nov. 21, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/21/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 18 (second occurrence)-31 have been renumbered 19-32, respectively.

Dependent claims 22-28, 30, and 31 should depend on the method claim 21.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5,17,18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuba et al. (US #5,806,072).

As to claim 1, Kuba et al. teaches a digital camera (see Figure 1) for capturing digital images and organizing the captured images for subsequent transfer from the camera to an external device (see Abstract, computer in Line 6) that utilizes the digital images (see Abstract), comprising:

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a) means (see Figure 2, memory card "14") for providing a database having a plurality of customized profiles (see Col. 14, Lines 57-61; Col. 15, Lines 14-18); wherein each customized profile contains a plurality of image utilization fields (see Figure 7, Col. 15, Lines 36-41).

b) means for selecting one of the plurality of customized profiles from the database (see Figure 3, Col. 15, Lines 51-55).

c) means for defining a plurality of profile indices respectively corresponding to ones of the plurality of customized profiles (see Figure 6, Col. 15, Lines 40,41).

d) an image sensor for capturing images (see Figure 2, image pick-up "2").

e) means for associating a profile index with at least one captured image to identify the corresponding selected customized profile (see Col. 15, Lines 14-18); and

f) storage means for receiving and storing the at least one captured image and the corresponding profile index (see Figure 1, memory card "14", Col. 14, Lines 57-61).

As to claim 2, Kuba et al. teaches a digital camera according to claim 1 (see 102 (b) rejection above) wherein the database is a profile table (see Figure 5).

As to claim 3, Kuba et al. teaches a digital camera according to claim 1 (see 102 (b) rejection above) wherein the storage means is a removable memory card (see Figure 2, memory card "14")

As to claim 4, Kuba et al. teaches a digital camera according to claim 1 (see 102 (b) rejection above) wherein a plurality of captured images are associated with the same customized profile (see Col. 15, Lines 14-18) and stored in the storage means (see Col. 14, Lines 57-61).

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As to claim 5, Kuba et al. teaches a digital camera according to claim 1 (see 102 (b) rejection above) wherein the database is stored in the digital camera (see Figure 2, memory card "14", *{The memory card holds the database which is in the camera.}*).

As to claim 17, Kuba et al. teaches a digital camera (see Figure 1) for capturing digital images and organizing the captured images for subsequent transfer from the camera to an external device (see Abstract, computer in Line 6) that utilizes the digital images (see Abstract), comprising:

a) means (see Figure 2, memory card "14") for providing a profile table (see Col. 14, Lines 57-61; Col. 15, Lines 14-18)

b) means for customizing the profile table to provide a plurality of customized profiles (see Figure 3, Col. 15, Lines 51-55), wherein each customized profile contains a plurality of image utilization fields (see Figure 7).

c) means for selecting a customized profile from the customized profile table which corresponds to desired image utilization fields (see Figure 3; Col. 15, Lines 55-58).

d) means for defining a plurality of profile indices respectively corresponding to the ones of the plurality of customized profiles (see Figure 6, Col. 15, Lines 40,41).

e) an image sensor for capturing images (see Figure 2, image pick-up "2").

f) means for associating a profile index with at least one captured image to identify the corresponding selected customized profile (see Col. 15, Lines 14-18); and

g) storage means for receiving and storing the at least one captured image and the corresponding profile index (see Figure 1, memory card "14", Col. 14, Lines 57-61).

As to claim 18, Kuba et al. teaches a digital camera according to claim 17 (see 102 (b) rejection above) wherein the means for customizing the profile table includes

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producing a new profile having a different plurality of image utilization fields with at least one image utilization field being different (see Figure 5, *{subdirectory b and subdirectory c will have different names.}*).

### ***Claim Rejections - 35 USC § 103***

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6,7,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuba et al. (see Patent Number above) in view of Anderson et al. (US #6,177,956).

As to claim 6, Kuba et al. teaches the digital camera according to claim 1 (see 102 (b) rejection above) wherein the external device is a storage device (see Abstract, Line 5,6). The claim differs from Kuba et al. in that it requires that the image utilization fields

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include an image format field indicating the format to be used for storage of the captured image in the storage device.

In the same field of endeavor, Anderson et al. teaches a utilization field that indicates the format to be used for storage of the captured image in the storage device (see Figure 8, Image Type “806”, Col. 7, Lines 54-57). In light of the teaching of Anderson et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image utilization fields of Kuba et al. to include a field, which indicates the type of format to store the captured image. Such a modification would allow the user to choose a specific compression type conforming to memory, resolution, etc. constraints.

As to claim 7, Kuba et al. teaches the invention according to claim 1 (see 102 (b) rejection above) wherein the external device receives the captured image from the digital camera (see Abstract). The claim differs from Kuba et al. in that it requires the image utilization fields include a field designating user preferred software application stored in the external device adapted for utilizing the captured image.

In the same field of endeavor, Anderson et al. teaches an image utilization field that designates user preferred software stored in the external device adapted for utilizing the captured image. (see Figure 8, Image Type “806”, *{The computer receives a JPG or TFF type of image file and utilizes software to read this type of compression and store the file in such compression.}*). In light of the teaching of Anderson et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image utilization fields of Kuba et al. to include a user preferred software application for using the image. Such a modification would allow the computer to receive specific

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commands on how to utilize the image; thereby increasing speed of the process, and such a modification would allow the user to choose a type of application, which conforms to the demands of image processing that will eventually be used on the image.

As to claim 10, Kuba et al. teaches the digital camera according to claim 1 (see 102 (b) rejection above). The claim differs from Kuba et al. in that it further requires the image utilization fields include an identification field, which identifies the particular digital camera that captured the corresponding image

In the same field of endeavor, Anderson et al. teaches an image utilization field, which can be used to identify the digital camera which captured the corresponding image (see Figure 8, Miscellaneous "834"; Col. 8, Lines 38-41, *{The miscellaneous field can include text which indicates the camera that took the picture.}*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image utilization fields of Kuba et al. to include an identification field. Such a field would allow certain pictures of a profile to be recognized as taken by a certain camera and give the user feedback on the quality of images taken by that particular camera.

4. Claims 8,11,16,19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuba et al. (see Patent Number above) in view of Safai (US # 6,715,003).

As to claim 8, Kuba et al. teaches the invention according to claim 1 (see 102 (b) rejection above) wherein the external device receives the captured image from the digital camera (see Abstract). The claim differs from Kuba et al. in that it requires an image utilization field that includes a deletion field indicating whether the digital camera should

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delete the captured image from the storage means after storage of the captured image in the external device.

In the same field of endeavor, Safai teaches an image utilization field which indicates whether the camera should delete the captured image from the storage means after storage of the captured image in the external device (see figure 5, “472”, Col. 14, Lines 38-41). In light of the teaching of Safai, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image utilization fields in Kuba et al. to include a deletion field, which would delete the captured image after storage in the external device. Such a modification would allow for more space in the memory of the camera in Kuba et al. and the digital captured image would still be available.

As to claim 11, Kuba et al. teaches a digital camera according to claim 1 (see 102 (b) rejection above). The claim differs from Kuba et al. in that it requires the image utilization fields include a destination directory indicating a storage location in the external device for storing the corresponding captured image.

In the same field of endeavor, Safai teaches a destination directory (see Figure 4D, email address “granny@aol.com”), which indicates a storage location in the external device (*computer receiving the email*) for storing the corresponding captured image (see Figure 4D, “Photos from our Hawaiian Vacation”). In light of the teaching of Safai, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuba et al. by including a destination directory image utilization field indicating a storage location in the external device for storing the corresponding captured image. Such a location would allow the user to know where to retrieve the image in the

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external device, and would allow the user to retrieve the device at a remote location with internet access; eliminating the need for a portable storage device.

As to claim 16, Kuba et al. teaches a digital camera (see Figure 1) for capturing digital images and organizing the captured images for subsequent transfer from the camera to an external device (see Abstract, computer in Line 6) that utilizes the digital images (see Abstract), comprising:

- a) an image sensor for capturing a plurality of images (see Figure 2, image pick-up “2”)
- b) storage means for storing the plurality of images (see Figure 1, memory card “14”)
- c) means for storage of certain image utilization fields (see figure 1, memory card “14”)
- d) a user interface for selection of certain image utilization field options (see Figure 3)

The claim differs from Kuba et al. in that it requires a deletion field to be stored in memory for each image such that they are deleted after subsequent transfer to the external device.

In the same field of endeavor, Safai teaches a deletion option means for each of the images after transfer (see Figure 5 “472”, Col. 14, Lines 38-41). In light of the teaching of Safai, it would have been obvious to modify Kuba et al. by including a deletion options means for each of the captured images such that they are deleted after transfer to the external device. Such a modification would allow for more space in the memory of the camera in Kuba et al.

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As to claim 19, Kuba et al., as modified by Anderson et al., teach the digital camera according to claim 17 (see 102 (b) rejection above) The claim differs from Kuba et al. and Anderson et al. in that it requires editing an existing profile to have a different plurality of image utilization fields with at least one utilization field being different.

In the same field of endeavor, Safai teaches the ability to choose between deleting or not deleting an image after it has been transferred (see Figure 5). In light of the teaching of Safai, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuba et al. by allowing the user to edit an existing profile. Such freedom would prevent deletion of images that the user may not have desired.

5. Claims 9,20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuba et al. (see Patent Number above) in view of Safai (US 20020191090)

As to claim 9, Kuba et al. teaches the digital camera according to claim 1 (see 102 (b) rejection above). The claim differs from Kuba et al. in that it requires means for defining a user designated code for permitting only authorized access to the selected profile.

In the same field of endeavor, Safai teaches security key, which is unique to the digital images captured and requires a code, user name, address to access such (see [0094]). In light of the teaching of Safai, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuba et al. by including such a key, which would allow the only the user to access images and prevent others from editing or deleting images which are irreplaceable to the user.

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As to claim 20, Kuba et al. teaches a digital camera (see Figure 1) for capturing digital images and organizing the captured images for subsequent transfer from the camera to an external device (see Abstract, computer in Line 6) that utilizes the digital images (see Abstract), comprising:

a) means (see Figure 2, memory card "14") for providing a database having a plurality of customized profiles (see Col. 14, Lines 57-61; Col. 15, Lines 14-18); wherein each customized profile contains a plurality of image utilization fields (see Figure 7, Col. 15, Lines 36-41).

b) means for selecting one of the plurality of customized profiles from the database (see Figure 3, Col. 15, Lines 51-55).

c) an image sensor for capturing images (see Figure 2, image pick-up "2").

d) storage means for storing the plurality of captured images (see Figure 1, memory card "14")

e) user interface (see Figure 3)

The claim differs from Kuba et al. in that it requires a user designated code corresponding to the selected customized profile for permitting only authorized access to the selected customized profile.

In the same field of endeavor, Safai teaches security key, which is unique to the digital images captured and requires a code, user name, address to access such (see [0094]). In light of the teaching of Safai, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuba et al by including such a key, which would allow the only the user to access images and prevent others from editing or deleting images which are irreplaceable to the user.

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuba et al. (see patent Number above) in view of Baron et al. (US 20040201737).

As to claim 12, Kuba et al. teaches the digital camera according to claim 1 (see 102 (b) rejection above). The claim differs from Kuba et al. in that it requires flash EPROM in which the database is stored in the flash EPROM.

In the same field of endeavor, Baron et al. teaches a removable memory medium which can be flash memory, or EPROM (see [0016]). In light of the teaching of Baron et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the memory card taught in Kuba et al. as flash EPROM. Such an implementation would allow the memory medium to retain the data stored on the card if a power outage or battery failure was to occur.

7. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuba et al. (see Patent Number above) in view of Roberts et al. (US # 6,496,222).

As to claim 13, Kuba et al. teaches a digital camera (see Figure 1) for capturing digital images and organizing the captured images for subsequent transfer from the digital camera to an external device (see Abstract, computer in Line 6) that utilizes digital images (see Abstract), comprising:

- a) an image sensor for capturing images (see Figure 2, image pick-up unit "2")
- b) a storage means (see Figure 2, memory card "14")
- c) a user interface for selecting options (see Figure 3)

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d) a storage means for storing the at least one captured image (see Figure 2, memory card “14”; Col. 14, Lines 57-61).

The claim differs from Kuba et al. in that it requires that the storage means contain a plurality of software application identifiers which identify corresponding software application programs which are resident on the external device, the user interface select one of the plurality of software application identifiers which identify corresponding software application programs which are resident on the external device, and a storage means for receiving the at least one captured image and software application identifier, and for storing the software application identifier.

In the same field of endeavor, Roberts et al. teaches a storage means which contains a plurality of software application program identifiers (see Figure 2A, data diskette “50”, Format Apple = 00, IBM = 01 “57”) which correspond to software application programs resident on the external device (*IBM (PC) and Apple (MAC) computers contain different software, which is what makes them fundamentally different*), a user interface for selecting the software application program identifiers (see Figure 6, switch “17”; Col. 4, Lines 61-64), and a storage means (see Figure 10, “PC”) for receiving the at least one captured image and software application identifier (see Figure 14A, CPU “20”), and for storing the software application identifier (see Figure 10, “PC”; *{The digital image information, which includes the software application program identifiers as the format bits (see Figure 2A), is sent to the computer as can be seen from the flow diagram in Figure 10; whereupon, inherently that the information will be stored in the computer.}*). In light of the teaching of Roberts et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to include software

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application program identifiers in the storage means, modify the user interface of Kuba et al. to be able to select one of the plurality of software application programs, and include a storage means for receiving the at least one captured image and software application identifier, and for storing the software application identifier. The modification of including software application program identifiers would allow the user to avoid erroneous image transfer due to incompatibility with the right software application program (see Roberts et al., Col. 12, Lines 37-42). The user interface modification would allow for user friendliness and an assured quality transfer of images. The storage means modification allows the user to view images on a computer, which can perform more sophisticated image processing algorithms.

As to claim 14, Kuba et al., as modified by Roberts et al., teaches the invention according to claim 13 wherein the external device (see Roberts et al., Figure 10, "PC") receives the at least one captured image and the associated software application program identifier and invokes the corresponding program identified by the software application program identifier to process the at least one captured image in accordance with the corresponding software application program (see Roberts et al., Col. 12, Lines 16-37).

As to claim 15, Kuba et al., as modified by Roberts et al., teaches the digital camera according to claim 14 wherein the external device is a programmable computer (see Roberts, Figure 10, "PC"; Col. 2, Lines 16-20).

8. Claims 21-24,26,27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (US # 6,715,003) in view of Kuba et al. (see Patent Number above).

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As to claim 21, Safai teaches a method for transferring customized images files stored in a digital camera (see Figure 1) to an external device (see Figure 5, *{The transferred images have to be received by a computer due to the transfer by email as can be seen in the figure}*) having image transfer application software *{ Safai discloses transfer of images to a personal computer, it is inherent that there be software that can handle the transfer.}*, using a database having at least one customizable profile (see Figure 4D, Photos from our Hawaii Vacation “432”) containing a set of image utilization fields (see Figure 4D, To: “414”; Figure 5, Delete Picture After Sending “472”), comprising the steps of:

b) accessing the set of image utilization fields *{The computer must access the email address to send the profile of images to the correct address}*;

c) modifying each transferred image file in accordance with the set of image utilization fields (see Figure 5, Delete Pictures after Sending “472”; *{The transferred images are deleted after transfer if selected by the user.}*);

d) storing the modified transferred image file in a destination directory in the external device defined by one of the image utilization fields (see Figure 4D To: “414”).

The claim differs from Safai in that it further requires the transfer of images stored in a removable memory card, and serially, ~~the~~ transfer of a plurality of image files from the removable memory card to the external device.

In the same field of endeavor, Kuba et al. teaches a removable memory card (see Figure 2, memory card “14”) which contains a plurality of image files which is compatible with a personal computer (see Abstract), wherein image files are serially transferred to the external device *{The images are transferred to the compatible personal*

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*computer serially, inherently, because parallel conversion would requires a memory card having multiple input and output pins.*). In light of the teaching of Kuba et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Safai to include memory card receiving capabilities, wherein the image files can be serially transferred to the computer of Safai. Such a modification would allow the user to transfer the images to the computer without the necessity of an internet connection.

As to claim 22, Safai, as modified by Kuba et al., teaches a method according to claim 21 (see 103 (a) rejection above) wherein the set of image utilization fields are stored in the external device *{The email address of Safai (granny@aol.com) is inherently stored on the external device; otherwise, the images would not be received correctly.}*.

As to claim 23, Safai, as modified by Kuba et al., teaches a method according to claim 21 (see 103 (a) rejection above) further including the step of editing a customizable profile (see Safai, Figure 5, *{The option of deletion or non-deletion is available. The modification of Safai with the use of a deletion field in the customizable profile shows that choosing to delete or not to delete is editing the profile.}*).

As to claim 24, Safai, as modified by Kuba et al., teaches the method according to claim 21 (see 103(a) rejection above) wherein the image utilization fields include a deletion field and further including the step of deleting the modified transferred captured image in accordance with the deletion field from the removable memory card in the digital camera after storage of such image in the external device (see Safai, Figure 5, "472").

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As to claim 26, Safai, as modified by Kuba et al., teaches the method according to claim 21 (see 103(a) rejection above) wherein the external device includes a database and further including the step of updating the camera database and the external device database before the captured images are transferred from the digital camera to the external device so that both the camera database and the external device database include the same profiles (see Safai, Col. 9, Lines 50-67, Col. 10, Lines 1-12; *{The camera database and the external database contain the email address.}*).

As to claim 27, the limitations of claim 27 can be found in claim 21 (a). Therefore, claim 27 is analyzed and rejected as previously discussed with respect to claim 21.

As to claim 28, Safai teaches a method according to claim 21 (see 103(a) rejection above). The claim differs from Safai in that it requires the database include a plurality of profiles.

In the same field of endeavor, Kuba et al. teaches a plurality of profiles within a database (see Figure 5, “subdirectory b”, “subdirectory c”). In light of the teaching of Kuba et al., it would have been obvious to one of ordinary skill in the art to modify the database of Safai to contain a plurality of profiles. Such a modification would allow the user to sort and retrieve images when needed in an efficient manner.

As to claim 29, Safai, as modified by Kuba et al., teaches the method according to claim 27 (see 103 (a) rejection) wherein the database is stored on the digital camera (see Safai, Figure 4D and 4E; *{The images to be sent are taken by the camera and are inherently stored on the camera (Photos from Hawaii Vacation.)}*).

As to claim 30, Safai, as modified by Kuba et al., teaches the method according to claim 27 (see 103(a) rejection) wherein the database is stored on the external device *{After transfer, the images are then inherently stored on the receiving computer with specified email address (see Figure 4D).}*.

As to claim 31, Safai teaches the method according to claim 21 (see 103(a) rejection above). The claim differs from Safai in that it requires the set of image utilization fields include a filename suffix or filename prefix appended to the camera filename.

In the same field of endeavor, Kuba et al. teaches a filename suffix appended to the camera filename (see Figure 60, suffix "J6C"). In light of the teaching of Kuba et al., it would have been obvious to one of ordinary skill in the art to include a filename suffix appended to the names of the camera filenames of the image files of Safai. Such modifications would allow for the user to easily specify compression type; consequently, giving faster transmission of images.

As to claim 32, Safai, as modified by Kuba et al., teaches a method according to claim 21 wherein the external device is a network service provider (see Abstract, Lines 3-5; *{The images are sent to a service provider, then the computer specified by email address. The external device can be multiple devices}*).

9. Claim 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (US # 6,175,003) in view of Kuba et al. (see Patent Number above) in further view of Roberts et al. (see Patent Number above).

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As to claim 25, Safai, as modified by Kuba et al., teaches a method according to claim 21. The claim differs from Safai, as modified by Kuba et al., in that it requires the image utilization files include an image editing preference application software field designating a software application stored in the external device and further including the step of applying the designated user preferred application software to the modified transferred captured image.

In the same field of endeavor, Roberts et al. teaches an image utilization field which includes an image editing preference application software field designating a software application stored in the external device and further including the step of applying the designated user preferred application software to the modified transferred captured image (see Figure 14A, "APPLE V1", "IBM V2"; Col. 12, Lines 16-35). In light of the teaching of Roberts et al., it would have been obvious to one of ordinary skill in the art to modify include in the image utilization fields of Safai, as modified by Kuba et al., an image preference application software field. The modification of including a software application program field would allow the user to avoid erroneous image transfer due to incompatibility with the right software application program (see Roberts et al., Col. 12, Lines 37-42).

### *Conclusion*

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Daniels whose telephone number is (703) 305-4807. The examiner can normally be reached on 8:00 A.M. - 4:30 P.M..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andy Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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*as*  
12/8/2004

  
NGOC-YEN VU  
PRIMARY EXAMINER